



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/593,408

09/19/2006

Frederic de Lauzun

4590-572

1228

33308

7590

01/20/2010

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD, SUITE 300
ALEXANDRIA, VA 22314

EXAMINER

NGUYEN, JIMMY H

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

01/20/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/593,408	Applicant(s) DE LAUZUN, FREDERIC	
	Examiner JIMMY H. NGUYEN	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/19/2006 & 7/27/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is made in response to applicant's papers filed on 9/19/2006. Claims 13-27 are currently pending in the application. An action follows below:

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 9/19/2006 does not include a form PTO-1449.

3. The information disclosure statement (IDS) submitted on 7/27/2007 is being considered by the examiner.

Notice to Applicant

4. Since claims 26 and 27 are similar to claim 22, these claims should be cancelled.

Claim Objections

5. Claim 13 is objected to because of the following informalities:

-- **detection** -- should be inserted immediately before "**device**" in line 1 so as to make the claimed feature consistent with the feature of all dependent claims;

-- **display** -- should be inserted immediately before "**area**" in line 4 so as to make the claimed feature consistent with the feature in line 3; and

"**an electrical signal**" in line 7 should be changed to -- **said electrical signal** -- because there is sufficient antecedent basis for this feature in line 4.

Appropriate correction is required.

6. Claim 14 is objected to because of the following informalities: "**the**" in line 2 should be deleted because there is insufficient antecedent basis for this feature in the claim. Appropriate correction is required.

Art Unit: 2629

7. Claim 16 is objected to because of the following informalities:

-- **of said LCD screen** -- should be inserted immediately after “**matrix**” in line 1 so as to clearly define the claimed feature;

"**or column**" in line 2 should be deleted so as to clearly define the claimed feature; and

"**comprises**" in line 3 should be changed to -- **comprise** -- because of a typo.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 13-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claim 13, this claim recites a limitation, “means for displaying an alarm should said frequency not be detected” in last line. Since it is unclear what the above underlined limitation requires, it is considered that the invention is not clearly defined.

As to claims 14-23 and 25-27, since these claims depend upon claim 13, these claims are therefore rejected for the same reason set forth in claim 13 above.

Additionally to claim 19, this claim recites the limitation “the cell or cells” in line 1. There is insufficient antecedent basis for this limitation in the claim.

Additionally to claim 21, this claim recites a limitation, “the cell(s)” in lines 2-3. Since it is unclear the above underlined limitation requires “the cell” or “the cells”, it is considered that the invention is not clearly defined.

Art Unit: 2629

As to claim 24, since this claim depends upon the cancelled claim 1, it is considered that the invention is not clearly defined.

Additionally to claim 25, this claim recites the limitation "the cell or cells" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Szybiak et al. (US 7,002,637 B2) discloses a system for detecting picture freeze within a video signal, the system comprising a video signal processing portion determining the number of motionless video picture frames occurring since the last video picture frame in which motion was detected to indicate picture freeze when the number of motionless video picture frames reaches a predetermined value; and a monitor for displaying an alarm when the freeze detect signal is detected (Fig. 1; Abstract; col. 3, lines 11-18). Harwood et al. (US 4,888,599) discloses a device for adjusting contrast ratio of a LCD, comprising light sensors placed in the corners of the display for measuring the relative brightness which is attenuated by the liquid crystal during its actual use, thereby adjusting the gray scale voltage applied to pixels (Fig. 1, 3; col. 2, lines 51-65).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy H. Nguyen whose telephone number is 571-272-7675. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached at 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jimmy H Nguyen/

Primary Examiner, Art Unit 2629